

Regular Council Meeting—August 12, 2014

The meeting of the Council of the Town of Altavista was held in the Council Chambers of the J.R. Burgess Municipal Building, 510 Seventh Street on August 12, 2014 at 7:00 p.m.

1. Mayor Mattox called the meeting to order and presided.
2. Rev. David Bayse, Central Baptist Church, gave the invocation.

Council members
present:

Mayor Michael Mattox
Mrs. Beverley Dalton
Mr. Charles Edwards
Mr. Tracy Emerson
Mr. Bill Ferguson
Mr. Timothy George
Mr. Jay Higginbotham

Also present:

Mr. J. Waverly Coggsdale, III, Town Manager
Mr. Daniel Witt, Assistant Town Manager
Mrs. Tobie Shelton, Finance Director
Chief Kenneth Walsh, Police Department
Mr. David Garrett, Public Works/Utilities Director
Mr. Steve Bond, Wastewater Treatment Director
Mr. John Eller, Town Attorney
Mrs. Mary Hall, Administration

3. Mayor Mattox asked if there were any questions regarding the agenda.

A motion was made by Mrs. Dalton, seconded by Mr. Ferguson, to approve the agenda.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

4. Public Comment

Mark Moss-Altavista EMS Ambulance Funding

Chief Mark Moss, Altavista EMS came forward and addressed Council. He thanked Council for their support of the EMS during the budgetary process stating the monies would be used to help fund a new ambulance. He noted the Altavista EMS received 253 calls and responded to 247 of them last month comparing this to other agencies. He stated they provide service to the Town of Altavista along with surrounding communities.

Mayor Mattox thanked Chief Moss and his organization for their efforts.

Mr. Dennis Delappe, owner of Vintage on Broad, addressed Council in regards to the new two hour parking signs which allows parking for two hours only within one block per day. He stated he occasionally has customers come by and stay an hour in his store then visit other stores including eating within walking distance. He asked that common sense be used when dealing with out-of-town people that are visiting the Town in regards to the parking situation. Mr. Delappe also referred to the large banners on Main Street and suggested all town activities from January to December be posted to encourage visitors to come in to Altavista.

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Mayor Mattox referred the parking sign situation to the Police/Legislative Committee and the banners issue to the Altavista on Track Committee.

Mayor Mattox asked if anyone else would like to come forward to speak on anything not listed on the agenda.

No one came forward.

5. Special Items or Recognitions

Introduction of Newly Hired Altavista Police Officer

Chief Walsh addressed Council and introduced Mr. Daniel Foggin, new Patrol Officer. Mr. Foggin began the academy in July.

6. Consent Agenda

- a) Approval of Minutes- Regular Meeting July 8, 2014
- b) Receive monthly review of Invoices
- c) Receive monthly review of Revenue & Expenditures
- d) Receive monthly review of Reserve Balance/Investment Report
- e) Departmental Monthly Reports
 - Administration
 - Community Development
 - Economic Development
 - Police Department
 - Public Works/Utility Department
 - Transit System

A motion was made by Mr. Ferguson, seconded by Mr. Emerson, to approve the items as listed on the consent agenda.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

7. Public Hearings

- a) Electronic Changeable Copy Sign-Ordinance Amendment-Revisions to Section 86-640a of the Zoning Ordinance pertaining to Electronic Changeable Copy signs.

Mr. Coggsdale advised at last month's Town Council meeting, Council set a public hearing to seek input on the proposed changes to the Zoning Ordinance, Section 86-640 (6) regarding Electronic Changeable copy sign regulations. The Planning Commission conducted its Public Hearing on the matter on Monday, August 4th and has submitted a recommendation to amend Section 86-640 (6) of the Zoning Ordinance of the Town Code as advertised.

Mr. Jerry Barbee, Planning Commission Chair, addressed Council and advised at the June 3rd Planning Commission meeting, Commissioners were presented with a request to consider amending the Sign Ordinance, Section 86-640 (6). This section of the code regulates Electronic Changeable Copy Signs. Staff gathered information and provided a report to the Planning Commission at their June 30th meeting. The Planning Commission reviewed the Town's current ordinance, the ordinances of several localities, VDOT's code section, and determined that the

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Town's Ordinance was too restrictive. They have worked with Staff and the Town Attorney to develop reasonable amendments. He listed the proposed changes as:

(6) *Changeable copy sign (electronic)*. Electronic changeable copy signs shall meet the development standards set forth in this section for the applicable type of sign. No changeable copy sign shall be permitted which is so constructed or placed that it diverts the attention of motorists to the detriment of safe travel on the streets of the town. All such signs shall conform to the following standards:

- a. The sign cannot flash but words or numbers may scroll in any direction.
- b. There shall be no more than three lines of text on any sign face for an electronic changeable copy sign.
- c. Text on the face of the sign shall remain in place for a minimum of 4 seconds.
- d. Maximum size for electronic changeable copy sign is 45 square feet.
- e. Electronic changeable copy signs shall comply with all Virginia Department of Transportation (VDOT) requirements.
- f. Sign standards shall be as described in section 86-652

Mr. Barbee advised no one spoke for or against the proposed amendments and the recommendation was approved on a 4-0 vote with one Commissioner absent.

Mayor Mattox opened the public hearing at 7:13 p.m. and asked if anyone would like to come forward and comment on the proposed changes to the Zoning Ordinance.

No one came forward.

Mayor Mattox closed the public hearing at 7:13 p.m.

A motion was made by Mrs. Dalton, seconded by Mr. George, to accept the Planning Commission's recommendation and amend Section 86-640 (6) of the Zoning Ordinance of the Town Code as advertised, to become effective upon approval.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

8. Standing Committee/Commission/Board Reports

a) Council Committees

i. Finance/Human Resources Committee

Health Insurance Plans

Mrs. Dalton advised this item would be addressed at a later date as new information is being gathered.

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Water Infrastructure Financing Plan

Mrs. Dalton advised Council has been discussing different ways to finance the Water Infrastructure projects that have been forecasted for the coming years. The more pressing projects are Project 1A (Bedford Avenue), for which bids have been received and scheduled for discussion later in the meeting and Project 1B (Main Street) which the design work has begun. She advised the Bond Counsel has indicated that if the Town is considering a borrowing the Town would have to schedule a public hearing. She noted by authorizing the public hearing there is no obligation to borrow but it keeps the option available and the process on track. The Committee recommends the public hearing on potential borrowing of funds be held at Council's regular meeting in September.

Mrs. Dalton motioned that the Altavista Town Council conduct a public hearing on Tuesday, September 9th at 7:00 p.m. in regard to potential borrowing for water line infrastructure project funding.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

“Pop Up Altavista” Funding Request (AOT)

Mrs. Dalton advised previously Council was updated by Altavista on Track (AOT) regarding their desire to move forward with an entrepreneurial program that would assist with the creation of new small businesses in Town. AOT is ready to move forward and is seeking to partner with the Town in regard to the \$20,000 that would be utilized as “grant awards” to the successful businesses. She mentioned previously AOT was granted a request of \$50,000 for their “No Interest Loan” program by Town Council, the approved funding is earmarked in the Town's Reserve Funds. AOT is requesting that \$10,000 of those funds be utilized for the “Pop Up” Altavista funding. Mrs. Dalton advised the Committee has considered this concept and recommends that \$10,000 of the previously \$50,000 earmarked in Town Reserves be allocated to AOT for the “Pop Up Altavista” grant program.

Mrs. Dalton motioned that the request of \$10,000 of the \$50,000 earmarked in the Town's Reserves for the AOT “No Interest Loan” program be allocated to AOT's “Pop Up Altavista” grant program.

Mr. Higginbotham asked for an explanation of what the “Pop Up Altavista” Program was.

Ms. Rodriguez, Executive Director of Altavista on Track, advised the Pop Up Altavista” is modeled after a program in Marion, Virginia which was very successful in recruiting new businesses or expanding existing businesses. She stated the goal is to bring in three new businesses prior to the end of the fiscal year.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

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FY 2014 Year End Budget Amendments

Mrs. Dalton advised Mrs. Shelton has presented Council with a memorandum for consideration of year end budget amendments. She noted the Committee has reviewed the information and recommends the budget amendments be adopted as presented.

Mrs. Dalton motioned that the year-end budget amendments for FY2014 be approved as presented.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Dump Truck Engine Replacement Request

Mrs. Dalton advised the Committee has received a memorandum from Mr. Garrett for consideration regarding the unscheduled replacement of a dump truck engine. The Committee reviewed and recommends approval of the request for funds in the amount of \$11,000 for replacement of the dump truck engine. It is anticipated that a small amount of the funds will be utilized out of the Highway Fund, due to the nature of the use of the vehicle. She noted the appropriate budget amendment would be presented at a later date.

Mrs. Dalton motioned that the request for funds in the amount of \$11,000 for replacement of the dump truck engine be approved.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

ii. Police/Legislative Committee

Mr. Edwards advised the Town has experienced a rash of property damage and the Police Department is in the process of clearing these incidents; the clearance ratio is approximately 82%.

iii. Public Works/Utility Committee

Lynch Mill Road – Resolution – VDOT Turn Lane Study Request

Mr. Ferguson advised staff presented the Committee with a request that VDOT perform a study regarding the necessity of a turn lane on Lynch Mill Road in front of Altavista Elementary School. The Town approved a Special Use Permit in February 1995 to allow construction of the school, the conditions of the permit indicated that if VDOT deemed a turn lane necessary Campbell County would construct one. He stated with on-going traffic issues at this location, the Committee recommends adoption of the resolution.

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Mr. Ferguson motioned that the resolution requesting VDOT to study the traffic patterns and volumes on Lynch Mill Road in the area of the elementary school be adopted.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

RESOLUTION REQUESTING VDOT TO PERFORM A TRAFFIC STUDY ON A PORTION OF LYNCH MILL ROAD

WHEREAS, the Town of Altavista is dedicated to safety of the traveling public and the efficient flow of traffic in town; and

WHEREAS, the Town of Altavista is home to Altavista Elementary School, which is situated on Lynch Mill Road one of four entry points into the town from Route 29 Bypass ;and

WHEREAS, the February 1995 approval of the Special Use Permit to allow construction of the elementary school, indicated that if a future traffic study determined the need of installation of a left turn lane the County would construct said turn lane, within one year of the date of receipt of the report from VDOT; and

WHEREAS, the section of Lynch Mill Road where the entrance to the school is located is also a connection to Frazier Road making this location a “T” intersection and creating a situation where passenger vehicles and school buses are frequently blocking traffic on Lynch Mill Road and Frazier Road or are utilizing the shoulder of the road as a makeshift entrance lane to allow vehicles to pass; and

WHEREAS, the blocking of Lynch Mill Road and the utilization of the shoulder as an entrance lane creates traffic back-ups and increases the possibility for accidents at this location; and

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Altavista, Virginia requests the Virginia Department of Transportation perform a study of the existing traffic patterns and volume on Lynch Mill Road in the area of the elementary school and the necessity for improvements in this area for improvement of traffic flow and safety.

Adopted the 12th day of August, 2014.

J. Waverly Coggsdale, III,
Town Clerk

Motion by:
Second by

Roll Call Vote:

Other Items Discussed – No Action Requested

Mr. Ferguson advised other items of discussion:

WWTP Emergency Overflow Pond (PCB Issue) discussion – Staff has received two (2) proposals from engineering firms under the existing “annual services agreements” for professional services related to environmental consulting. Staff will be interviewing the firms and forwarding a recommendation to the Committee later in August. Previously, it was discussed that a Work Session would be held by Town Council to update the status/progress of remediation alternatives for the pond. Based on the

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possibility that one of the firms could assist the Town with these efforts, it was decided to look at holding the Work Session later, possibly in October.

Tree Removal Request – Previously, the Committee was prepared to offer a recommendation on one tree on Main Street, but it was decided at a full Council meeting to evaluate street trees in general, especially along Main Street. At this time, staff is working with VDOT in regard to a possible partnership regarding removal of trees along the Main Street corridor. Staff will update the Committee at their next meeting on the progress of this item.

Utility Department operations/Use of technology – The Committee previously requested that staff review the staffing of the utility plants and the feasibility of the use of technology to possibly reduce operational costs. The Committee was updated on the process and staff is working with the Virginia Rural Water Association in regard to evaluation of staffing and technology usage. In addition, staff is scheduling a “peer” visit to see how this technology is being used.

B) Others

i) Recreation Committee

Tree Plan: Parks

Mr. George reported to Council on behalf of Ms. Ann Shelton, Recreation Committee Chair. He advised over the past several months the Recreation Committee has been working with staff to develop a tree plan for English Park, the 3rd Street entrance to English Park and the Bedford Avenue and Leonard Coleman Community parks. He stated the Committee is ready to make a request of Town Council to approve this plan and allocate funding for the trees and benches. Trees should be planted in September or early October for the best chance of survival and the Committee would like to have the trees planted this fall. He noted staff has attained quotes from several locally owned and operated companies as well as quotes from nurseries within the region- Bedford & Campbell County.

Council was presented with proposed plans for each of the parks and areas the Committee is addressing. Being requested are 24 Zelkovas; a nice shade tree that grows fairly fast. It has been recommended by Nathan with HDL Landscape Architects with an estimated cost is \$1,500. Also being requested are 2 Magnolia trees at the entrance to English Park near the entrance gate at an estimated cost of \$175. He stated 17 Leyland Cypress and 17 Holly trees or the possible options of Cryptomeria (Yoshino or Burfordii Holly) to be planted as a buffer along 3rd Street. Staff has spoken with Kirk Schultz, Horticulturist for the City of Lynchburg, and he does not recommend the Cypress trees due to their susceptibility to bag worms. The estimated cost is \$400. He noted two benches are being requested, one for each of the Community Parks, Bedford Avenue and Leonard Coleman at an estimated cost of \$1,200. Mr. George advised the Recreation Committee is requesting an amount not to exceed \$3,500 for this project.

Mayor Mattox referred this request to the Public Works Committee.

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ii) Planning Commission

Downtown Revitalization Overlay District and Design Guidelines

Chairman Jerry Barbee addressed Council and advised the Planning Commission has been working on the Downtown Revitalization Overlay Ordinance and Design Guidelines along with Mr. Scott Smith, Region 2000 Local Government Council. The Planning Commission held a public hearing last week and unanimously approved the documents. Chairman Barbee asked Council to consider a joint work session with the Planning Commission to review these documents.

It was the consensus of Council to conduct a joint work session with the Planning Commission to discuss the amended changes to the Downtown Revitalization Overlay District and Design Guidelines scheduled for September 9, 2014 at 5:30 p.m.

9. New Business

A) Review and Consideration of Approval of Bid for the Bedford Avenue Waterline Project (Project 1A)

Mr. Coggsdale advised bid opening was held on July 29, 2014 for the Bedford Avenue Waterline Improvements (Project 1A). The bids received were higher than the estimates for the construction of the project. The low bidder came in with a base bid of \$3,996,472 and this bid was above the original construction estimate of \$2,600,000 which presented a gap of \$1,396,472. Updated information on the construction estimate was forwarded to the Town a few days before the bid opening, which showed the updated estimate as \$3,150,000 and a contingency of \$158,000 for a total of \$3,308,000 reducing the gap to \$688,472. These are the construction costs only and do not include the engineering, administration and borrowing costs. He provided Council with a memo from the engineer that lays out options and components of the project. One of the items listed on the base bid item was for additional quantities of items associated with the project if they are deemed necessary; this bid item totaled \$200,150. These funds would only be utilized if additional quantities were required by the job and a unit price would be established. In addition, an Additive Bid item was listed that included the open cut for the Staunton River rather than the horizontal drilling method included in the base bid. This option would allow the Town to install a new raw water line in conjunction with this project. This item had a bid of \$637,062, which would increase the base bid amount by said amount.

Mrs. Dalton asked for an explanation of the items listed on the memo

Mr. Herbert White, WW Associates addressed Council stating they have identified every water connection that they know of. He noted the lowest estimate is 21% higher than their projected cost and felt running the line under the railroad may have driven the cost up somewhat with the risk factors.

Mr. Higginbotham noted the unclassified excavation and asked if a price could be offered if rock is hit and the remainder at a lower price could be

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obtained; is there any cost savings? Also if there would be a savings by running the line in the street as opposed to the sidewalk.

Mr. White stated the street as opposed to the sidewalk was a consideration when the project was designed. If the line is ran in the street, it would be excavated and would have to be backfilled with stone and the asphalt would be milled to the middle of the street and repaved. The sidewalk could be backfilled with soil and the concrete replaced. He noted there was some issue with potential damage to the curb and gutter; which would be a challenge for the contractor. The engineers felt it was cheaper to install the lines under the sidewalk. He addressed the issue of rock versus unclassified materials saying this is tough to determine. He stated the reason engineers like unclassified materials is because they don't have to come back to Council and ask for change orders.

Mrs. Dalton asked who would be responsible for replacing the curb and gutter.

Mr. White advised the way the bid is written the contractor would be responsible.

Mr. Higginbotham felt a former public works director could advise if there was rock along Bedford Avenue. He asked Mr. White if he was certain of a savings by placing the lines under the sidewalk.

Mr. White responded he was certain there was a savings.

A motion was made by Mr. Edwards, seconded by Mr. Ferguson, to approve the bid submitted by DLB, Inc. of \$3,996,472.

Mr. Higginbotham felt someone should know if rock would be hit going up Bedford Avenue and possibly in some of the subdivisions. He thought with this information, maybe a cap could be put on the cost. He felt this would be worth negotiating with the contractor.

Mrs. Dalton suggested WW Associates have a conversation with DLB, Inc. regarding this and report back to Council.

This item was tabled until more information is presented.

B) Donation of Statue for War Memorial Park (Ralph English)

Mr. Coggsdale advised last year, Mr. Ralph English, representing the Veterans of Foreign Wars (VFW) Post 4165 and American Legion Memorial Post 36, asked the Town to establish a "pass through" fund for refurbishment of the War Memorial. The VFW contributed \$8,000 to the fund and since that time all the brass plaques have been refurbished or replaced. Currently, the Town is working on replacing documents at the Freedom Shrine, painting the structure and replacing the glass. Recently, Mr. English contacted the Town in regard to a War Memorial statue that he would like to donate and have placed at the War Memorial. The preferred placement would be in the grass strip between the parking lot and the War Memorial; the Town would construct a concrete pad for the statue to rest on.

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A motion was made by Mrs. Dalton, seconded by Mr. Ferguson, to accept the donation the War Memorial statue from Mr. Ralph English.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Mayor Mattox requested a letter of thanks or resolution be presented to Mr. English.

C) Discussion/Consideration of Regulations for Pawnbrokers

Mr. Eller advised Pawn Shops are popping up in Campbell County and in the Town of Altavista. He stated a new pawn shop obtained a business license and a surety bond of \$10,000 as required by the Town Code. Mr. Eller stated he has received information from Campbell County stating Pawnbrokers have additional requirements. Chapter 40 of Title 54.1 Sections 54.1-4000 through 4014 of the Virginia Code governs the licensing of pawnbrokers and it appears the intent of the legislature was to assign the regulation of pawnshops to local governments as opposed to numerous other occupations which are regulated by the state boards. The Town has an ordinance on precious metals dealers but not on pawnbrokers. Mr. Eller advised Council of the need to pass an ordinance on pawnbrokers paralleling the Virginia Code. The State Code (Sec.54.1-4001) requires that the circuit court may authorize the town to issue a pawnbrokers license upon proof that the owner has not been convicted of a felony or a crime of moral turpitude in the last 10 years. It further stated that no such license shall be issued except by the said authority of the circuit court and (Sec 54.1-4003) states that no person shall be licensed as a pawnbroker without having in place a bond in the amount of \$50,000, with surety. Mr. Eller recommended the ordinance be passed.

Mayor Mattox mentioned at one time zoning did not allow for pawnbrokers.

Mr. Eller stated he would review this matter.

Mayor Mattox referred the pawnbrokers matter to the Legislative Committee.

10. Unfinished Business

11. Manager's Report

- a) Project Updates
- b) Other Items as Necessary
- c) Informational Items
- d) Town Council Calendars (August/September)

12. Matters from Town Council

13. Closed Session

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Mayor Mattox asked if there was anything else to bring before Council.

The meeting was adjourned at 8:10 p.m.

Michael E. Mattox, Mayor

J. Waverly Coggsdale, III, Clerk